

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

July 25, 2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR01-00056HG

CASE NAME: UNITED STATES OF AMERICA v. DARRICK PALENCIA

ATTYS FOR PLA: Darren W. K. Ching

ATTYS FOR DEFT: Loretta A. Faymonville

U.S.P.O.: Derek M. Kim

JUDGE: Helen Gillmor

REPORTER: Stephen Platt

DATE: July 25, 2006

TIME: 2:00 - 2:30

COURT ACTION: ORDER TO SHOW CAUSE WHY SUPERVISED
RELEASE SHOULD NOT BE REVOKED -

The defendant is present in custody.

The defendant admitted to Violations 1, 2, 5, 6, 8, 9 as it relate to the 7/04/2006 and 7/11/2006 violations, and 10.

The defendant denied Violations 3, 4, 7, 9 as it relates to the 5/18/2006 violation, and 11.

The Court finds that this is a Grade C violation, Criminal History Category II.

Allocution by the defendant.

The supervised release is revoked.

ADJUDGED: Impr of 10 mos.

SUPERVISED RELEASE: 26 mos upon the following conditions:

1. That the defendant shall abide by the standard conditions of supervision.

2. That the defendant not commit any crimes, federal, state, or local (mandatory condition).
3. That the defendant not possess illegal controlled substances (mandatory condition)
4. That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the terms of supervision (mandatory condition).
5. That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
6. That the defendant shall participate in and comply with substance abuse treatment which includes drug and alcohol testing in a program approved by the Probation Office. The defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
7. That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.
8. That the defendant serve up to 6 months community confinement, in a Residential Reentry Center such as Mahoney Hale, following release from imprisonment as arranged by the Probation Office. While serving the term of community confinement, the defendant shall obtain employment and/or enroll in an educational program as approved and directed by the Probation Office
9. The United States Probation Office has the power to decide as to where and with whom the defendant shall live so that the defendant is able to live a drug free life.

Advised of rights to appeal the sentence, etc.

Submitted by: David H. Hisashima, Courtroom Manager
Submitted by: Mary Rose Feria, Courtroom Manager

